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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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10/528,754

03/22/2005

Masashi Tanaka

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52835 7590 06/28/2007
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EXAMINER

DUONG, TAI V

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

06/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/528,754 | TANAKA ET AL. | |
| | Examiner | Art Unit | |
| | Tai Duong | 2871 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/22/05; 9/25/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 05/14/2007 has been entered.

The rejection over EP 0 933 663 is withdrawn in view of the amendments to the claims and Applicant's remarks.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 99/06877 (equivalent US 6,707,515, Ide et al.) in view of Fukutani et al (US 5,264,952).

Since the WO 99/06877 is published in Japanese, the equivalent US 6,707,515 (Ide et al) is relied upon in the rejection for the ease of discussions.

Ide et al disclose in Figs. 1-3 a composite display unit having a first display element 18 and a second display element 16 that is provided overlapping the first display element, wherein the first display element 18 comprises: a liquid crystal panel in which a liquid crystal layer 3 is held between first and second transparent substrates (1, 2); and a reflective polarization plate 14 that transmits

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light that oscillates in a specified direction and reflects light that oscillates in a direction that is intersecting with the specified direction and which is disposed on the liquid crystal panel on the side of the first transparent substrate wherein the second display element 16 comprises: a liquid crystal panel in which a liquid crystal layer 3 is held between third and fourth transparent substrates (1,2), and wherein the third transparent substrate 2 of the second display element 16 is provided on the side of the second transparent substrate 1 of the first display element 18 and an absorption polarization plate 12 is further provided on the side of the fourth transparent substrate 1 of the second display element 16. The reflective polarization plate 12 is DBEF manufactured by Sukimito 3M that is constituted as a dielectric multi-layered film with birefringence. As apparent from Figs. 2 and 3, the second display element 16 performs a *one-segment* display and the first display element 18 performs a dot-matrix display (col. 4, line 18 – col. 6, line 67).

Thus, the only difference between the composite display unit of Ide et al and that of the instant claims is Ide et al are silent about the reflective polarization plate 14 being directly joined to the first transparent substrate of the first display element 18, and the second transparent substrate of the first display element 18 being directly joined to the third transparent substrate of the second display element 16. However, Fukutani et al disclose in Fig. 35 that in a composite unit, a polarization plate 75 is directly joined to the first transparent substrate 64b of the first display element 62, and the second transparent substrate 64a of the first display element 62 is directly joined to the third

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transparent substrate 71b of the second display element 63 (col. 36, line 64 – col. 37, line 5).

Therefore, it would have been obvious to person of ordinary skill in the art in view of Fukutani et al to employ in the composite display unit of Ide et al the reflective polarization plate 14 being directly joined to the first transparent substrate of the first display element 18, and the second transparent substrate of the first display element 18 being directly joined to the third transparent substrate of the second display element 16 for reducing unwanted reflections and optical losses associated with the air gaps between the reflective polarization plate and the first transparent substrate of the first display element, between the second transparent substrate of the first display element and the third transparent substrate of the second display element.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

TD
TVD

06/07

TOANTON
PRIMARY PATENT EXAMINER